

Draft Final-Form Rulemaking Corrections to RACT III Requirements

Air Quality Technical Advisory Committee
May 8, 2025





Background

- On November 12, 2022, the Environmental Quality Board (Board) promulgated amendments to 25 Pa. Code Chapters 121 and 129 (relating to general provisions; and standards for sources) to establish additional presumptive reasonably available control technology (RACT) requirements and RACT emission limitations. See 52 Pa.B. 6960 (November 11, 2022).
- The amendments to Chapter 129, established in 25 Pa. Code §§ 129.111—129.115, address the federal requirements for the 2015 8-hour ozone National Ambient Air Quality Standards (NAAQS) under the Clean Air Act (CAA) (42 U.S.C. §§ 7401—7671q).



Background

- The final-form regulation was submitted to the Administrator of the EPA as a revision to the Commonwealth's State Implementation Plan (SIP) on January 13, 2023.
- However, 25 Pa. Code § 129.115(c) (relating to written notification, compliance demonstration and recordkeeping and reporting requirements), was not included as a revision to the SIP due to administrative and mathematical errors in the mass-equivalent basis factors.



Reason for Rulemaking

- This final-form rulemaking will correct the errors in the mass-equivalent basis factors established in 25 Pa. Code § 129.115(c).
- This final-form rulemaking will also correct a cross-reference error in 25 Pa. Code § 129.115(d).
- When published as a final-form rulemaking in the *Pennsylvania Bulletin*, this rulemaking will be submitted to the EPA as a revision to the Commonwealth's SIP.



Entities Subject to Rulemaking

- This final-form rulemaking will apply to the owner and operator of a combined cycle or combined heat and power combustion turbine with a rated output equal to or greater than 180 MW located at a major NO_x emitting facility or a major VOC emitting facility, or both, that was in existence on or before August 3, 2018.
- The owners or operators of 47 subject emission units at 17 facilities may choose to use the corrected mass equivalent basis factors.



Rulemaking Outcomes

- The owner and operator of a combined cycle or combined heat and power combustion turbine with a rated output equal to or greater than 180 MW will have the option to use the correct mass equivalent basis factors and cross references specified in 25 Pa. Code § 129.115(c) to demonstrate compliance with the presumptive NO_x or VOC emission limits, or both, in 25 Pa. Code § 129.112(g)(2)(iii).
- No emission increases are expected due to this final-form rulemaking.



Proposed Rulemaking

§ 129.115. Written notification, compliance demonstration and recordkeeping and reporting requirements.

- Revised paragraphs (c)(2), (c)(3) and (c)(4) to correct cross-references and mathematical errors.
- Revised subsection (d) to correct cross-reference.



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Public Comments

- No public comments were submitted on the proposed rulemaking.
- No testimony was given at the public hearings.
- The Independent Regulatory Review Commission had no comments.
- Therefore, there are no changes to the regulation from the proposed regulation to final-form regulation.

Anticipated Rulemaking Schedule

- Air Quality Technical Advisory Committee – May 8, 2025
- Citizens Advisory Council Policy and Regulatory Oversight Committee – May 2025
- Citizens Advisory Council – June 2025
- Environmental Quality Board – Third Quarter 2025
- Final-form Rulemaking Published in the *Pennsylvania Bulletin* – Fourth Quarter 2025



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Environmental Protection

Get In Touch

Sean Wenrich

New Source Review Section

400 Market Street

Harrisburg, PA 17101

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(717) 772-3979 / sewenrich@pa.gov

Arun Sharma

New Source Review Section

400 Market Street

Harrisburg, PA 17101

...

(717) 772-5965 / arusharma@pa.gov

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